

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

JIMMY LAMONT ROBERTS

PETITIONER

v.

No. 1:22CV113-SA-JMV

**EAST MISSISSIPPI CORRECTIONAL
FACILITY, ET AL.**

RESPONDENTS

ORDER OF DISMISSAL

The court takes up, *sua sponte*, the dismissal of this cause. On August 5, 2022, the court entered an order requiring the petitioner to either pay the \$5.00 filing fee in this case or filing a completed application to proceed as a pauper. The deadline for compliance with this order expired on August 19, 2022. Indeed, the August 19 deadline was an extension of a previous deadline for complying with the court's order. The court cautioned the petitioner that failure to comply with the order would result in the dismissal of this case without prejudice. The petitioner responded to the order, but the response contained neither the \$5.00 filing fee nor a completed application to proceed *in forma pauperis*. The petitioner has thus failed to comply with the court's order. This case is therefore **DISMISSED** without prejudice for failure to prosecute and for failure to comply with an order of the court under FED. R. CIV. P. 41(b). In light of this ruling, the plaintiff's incomplete pending motions [2], [7] to proceed *in forma pauperis* are **DISMISSED**.

SO ORDERED, this, the 2nd day of September, 2022.

/s/ Sharion Aycock
U. S. DISTRICT JUDGE